

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

SUITS – Land Acquisition –PJP – GADWAL -Mahabubnagar District – Narva (Mandal) Nandimalla (Village) - O.P.No.38/96 and batch of (5 O.Ps) - Sanction of decretal charges of **Rs.30,62,218/-** - Orders – Issued.

IRRIGATION & CAD (PW.LA.III.A2) DEPARTMENT

G.O.RT.NO. 865

DATE:01.12.2008

Read:

From the Spl.CS to Govt & CCLA, AP, Hyd.Lr. No.SRP4/955/08, dt:25.10.08
alongwith the letter of Spl.Collector, LA, Beema Project, Mahabubnagar.

O R D E R:

The Special Chief Secretary to Government and Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad has informed that the Special Collector, LA, Bheema Project, Mahabubnagar has submitted the proposals for sanction of final payment of decretal charges in respect of O.P.No.38/1996 & batch of (5 O.Ps) pertaining to Nandimalla (V) Narva (M) of Mahabubnagar District. The then Special Deputy Collector, LA, PJP, Gadwal had acquired the lands in Sy.No.143 etc for an extent of Ac.13.39 gts of Mitta Nandimalla (V) by fixing the market value @Rs.19,500/- per acre through Award No.3/95, dt:27.07.1995 for R&R centre for displaced families under PJP. Aggrieved with the market value awarded by the LAO, the awardees have filed petitions U/s.18 (1) of L.A.Act with a request to refer the matter to the Civil Court for adjudication. The Sr.Civil Judge, Gadwal in its orders dt:21.10.2005 had delivered judgments by enhancing the market value from Rs.19,500/- to Rs.1,61,874/- per acre. The Special Deputy Collector, LA, PJP, Gadwal has filed appeal in the Hon'ble High Court of A.P, Hyderabad against the orders of the Lower Court. The Hon'ble H.C of A.P, Hyd has granted interim stay orders on condition to pay 50% of decretal amount. Accordingly, the Spl.Collector have sanctioned an amount of Rs.13,27,467/- towards 1/3rd of the decretal amount and the same has been deposited in the Sr.Civil Judge Court, Gadwal. Finally, the Hon'ble High Court has dismissed the appeals filed by SDC, LA, PJP, Gadwal by confirming the Judgments of Lower Court. In this case, the claimants have filed C.C.No.1350/08 in W.P.No.27707/07, dt:19.11.2008.

2) After careful examination of the matter, Government hereby accord sanction for an amount of **Rs.30,62,218/- (Rupees Thirty lakhs sixty two thousand two hundred and eighteen only)** in respect of O.P.No.38/96, 36/96, 37/96, 39/96 & 43/96 (total 5 O.Ps) pertaining to Nandimalla (V) Narva (M) of Mahabubnagar District subject to verification whether the reference under section 18 (1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Sec.18 reference was made contrary to the rules/guidelines issued by the Govt/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further, the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

(PTO)

3) The amount in para (11) above, shall be debitable to the following Head of Account under "4701- SMJH – 01 – Major Irrigation – M.H.122– Jurala Project G.H.11- NSP-SH (27) – Canals and Distributaries - 530 Major works -532 – Lands (charged). In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

4) This order issues with the concurrence of Finance (Works&Projects) Department vide their U.O. No.4782/F2(2)/2008-1, dated 01.12.2008.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS
SECRETARY TO GOVERNMENT

To
The Spl. Chief Secretary to Government & CCLA, A.P., Hyderabad.
The Special Collector, LA, Bheema Project, Mahabubnagar District.
The Chief Engineer, NSRSSP, Gaganvihar, Hyderabad.
The SDC, LA, PJP, Gadwal, Mahabubnagar.
The Director of Works Accounts, Hyderabad.
Copy to: P.S. to Minister (M& MI).
Finance (W&P) Department/File C.No.29897/LA-III(A2)/2008.
SF/SCs

//FORWARDED::BY ORDER//

SECTION OFFICER